

UNAPPROVED - DRAFT

BOARD OF DENTISTRY

MINUTES

CREDENTIALS COMMITTEE MEETING

TIME AND PLACE: The Credentials Committee convened on June 29, 2007, at 8:35 a.m. at the Department of Health Professions, 6603 W. Broad Street, Richmond, Virginia.

PRESIDING: Misty L. Sissom, R.D.H.

MEMBERS PRESENT: Jeffrey Levin, D.D.S.
Darryl J. Pirok, D.D.S.

STAFF PRESENT: Sandra K. Reen, Executive Director
Catherine Chappell, Administrative Staff Assistant

QUORUM: All members were present.

PUBLIC COMMENT: Ms. Nancy Daniel, dental assistant program director at J. Sargeant Reynolds Community College commented that she agreed with Dr. Carter's suggestion that the radiation safety classes need to be longer than seven hours. Ms. Daniel offered that the J. Sargeant Reynolds' course for radiation safety was held over three Saturday sessions. Additionally, Ms. Daniel asked the Board to stipulate who was eligible to teach the course.

APPROVAL OF MINUTES: Ms. Sissom asked the members to review the minutes. Dr. Levin moved that the minutes from the April 20, 2007 meeting be approved as written. The motion was seconded and carried.

DISCUSSION OF GUIDELINES FOR APPROVAL OF DENTAL RADIATION SAFETY CERTIFICATION COURSES Ms. Sissom asked Ms. Reen to update the Committee on legal counsel's thoughts on the guidelines. Ms. Reen advised that Mr. Casway advised that the Board had no authority to require Board approval of courses. He stated that the Board only has the authority to issue guidelines.

Ms. Reen noted her concerns are how to address the programs which received open ended approval and the lack of oversight.

Dr. Pirok expressed concern about competency issues of persons performing radiographs.

Ms. Reen suggested that the Committee form a discussion group with Dr. Carter and Ms. Daniel to gain a better understanding of the current process of obtaining certification. In addition, Ms. Reen posed the following options:

- Discontinue the use of the guidelines for approval of dental radiation safety certification courses
- Move forward in making regulatory changes to give the Board the ability to approve and charge for the courses or
- Update existing guidelines.

Ms. Sissom suggested pursuing two tracks: seeking regulatory changes and holding a forum on minimum requirements to assess the safety of the current guidelines.

Ms. Reen noted that she would speak with the radiation contact at the Department of Health about participating in the forum and to gain insight into the history of the Board's role with radiation safety certification.

Ms. Reen suggested that the Committee report to the Board at the September meeting that:

- The existing guidelines are out of date;
- The guidelines are insufficient to assure minimal competency;
- The Committee will be meeting with interested parties to consider (1) whether the law needs to be amended to give authority to the Board to set and oversee program requirements (2) what the minimum requirements for classroom and practical training should be

**GUIDANCE ON
LICENSURE BY
CREDENTIALS:**

Ms. Reen reported that she had asked legal counsel for guidance on the requirement for active clinical practice for licensure by credentials and whether practice outside of the United States is to be accepted for meeting the requirement for five out of six years of clinical practice immediately preceding application. She noted that Mr. Casway advised

that the provision in Regulation 18VAC60-20-71. 7. should be read in context to the requirement for holding a current unrestricted license in another jurisdiction in the United States. Discussion followed about whether practice outside of the US should be accepted when the country has standards that are comparable to those set by the American Dental Association and whether a letter of good standing from the country where the practitioner had been practicing should be required. Ms. Reen stated this issue would be a discussion item at the Board meeting in September so that Mr. Casway might participate.

ADJOURNMENT:

With all business concluded, the Committee adjourned at 9:25 a.m.

Misty L. Sissom, R.D.H., Chair

Sandra K. Reen, Executive Director

Date

Date

UNAPPROVED - DRAFT
BOARD OF DENTISTRY
MINUTES
CREDENTIALS COMMITTEE MEETING

TIME AND PLACE: The Credentials Committee convened on June 29, 2007, at 9:30 a.m. at the Department of Health Professions, 6603 W. Broad Street, Richmond, Virginia.

FIRST CONFERENCE: 9:30 a.m.

PRESIDING: Misty L. Sissom, R.D.H.

MEMBERS PRESENT: Jeffrey Levin, D.D.S.
Darryl J. Pirok, D.D.S.

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Cheri Emma-Leigh, Operations Manager
Leigh C. Kiczales, Adjudication Specialist

QUORUM: All three members were present.

**Kathryn Whitehurst
Smithson, , R.D.H.,
Applicant
Case No. 114485**

Kathryn Whitehurst Smithson, R.D.H. appeared without counsel to discuss her application for licensure by examination to practice dental hygiene and allegations that she may have violated laws and regulations governing the practice of dental hygiene in that, on September 21, 2005, she was found guilty of driving under the influence of alcohol in Virginia Beach General District Court.

The Committee received Ms. Smithson's statements and discussed her application with her.

The Committee received statements from Karl Smithson.

Closed Meeting: Dr. Pirok moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a

decision in the matter of Kathryn Whitehurst Smithson, R.D.H. Additionally, Dr. Pirok moved that Board staff, Alan Heaberlin and Cheri Emma-Leigh, and Administrative Proceedings Division staff, Leigh Kiczales, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Dr. Pirok moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee. The motion was seconded and passed.

Decision:

Ms. Sissom reported that the Committee's decision is to approve Ms. Smithson's application for licensure by examination to practice dental hygiene in the Commonwealth of Virginia. Dr. Levin moved to adopt the decision of the Committee. The motion was seconded and passed.

SECOND CONFERENCE:

10:05 a.m.

PRESIDING:

Misty L. Sissom, R.D.H.

MEMBERS PRESENT:

Jeffrey Levin, D.D.S.
Darryl J. Pirok, D.D.S.

STAFF PRESENT:

Alan Heaberlin, Deputy Executive Director
Cheri Emma-Leigh, Operations Manager
Gail W. Ross, Adjudication Specialist

QUORUM:

All three members were present.

**Richard J. Ruhe, D.D.S.
Case No. 114828**

Richard J. Ruhe, D.D.S. appeared without counsel, to discuss his application by credentials to practice dentistry in Virginia, and allegations that he has not been in

continuous clinical practice for five (5) out of the six (6) years immediately preceding his application for licensure.

The Committee received statements from Eunice Ruhe.

The Committee received Dr. Ruhe's statements and discussed his application with him.

Closed Meeting:

Dr. Pirok moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Richard J. Ruhe, D.D.S. Additionally, Dr. Pirok moved that Board staff, Alan Heaberlin, and Cheri Emma-Leigh, and Administrative Proceedings Division staff, Gail Ross, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene

On a properly seconded motion by Dr. Pirok, the Committee certified that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Decision:

Ms. Sissom reported that the Committee's decision is to recommend to the Board the Findings of Fact and Conclusion of Law that Dr. Ruhe violated §§ 54.1-2706(9) and 54.1-2709.C(v) of the Code, and 18 VAC 60-20-71(7) of the Regulations, in that he has not been in continuous clinical practice for five (5) out of the six (6) years immediately preceding his application for licensure. Further, Ms. Sissom stated that it is the decision of the Committee to recommend denial of Dr. Ruhe's application to the Board at its next Board meeting on September 7, 2007. Dr. Pirok moved to adopt the decision of the Committee. The motion was seconded

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and passed.

ADJOURNMENT:

With all business concluded, the Committee adjourned at 10:45 a.m.

Misty L. Sissom, R.D.H., Chair

Sandra K. Reen, Executive Director

Date

Date